

1. Claims 1-4 and 9 are rejected under 35 U.S.C. 102(b) as being fully met by Cottrell et al. for the same reasons as set forth in paragraph 1 of the last office action filed 9-6-07. Applicant's argument that Cottrell et al. does not disclose monomers is not convincing since monomers are disclosed at col. 6, lines 1-16. The use of photoinitiators is also clearly disclosed at col. 12, lines 3-13, although thermal initiators are preferred as being simpler. The instant claims do not exclude the crosslinking reactions of Cottrell et al. as argued by applicant; and instant claim 9 requires crosslinking agents.

2. Claims 1-4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Araki '414, Araki '259, Cottrell et al. and Furukawa et al. for the same reasons as set forth in paragraph 2 of the last office action.

3. Claims 1-4 and 9 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-17 of U.S. Patent No. 7,169,516 in view of Cottrell et al. and Furukawa et al. for the same reasons as set forth in paragraph 3 of the last office action.

4. Claims 1-4 and 9 are rejected on the grounds of obviousness-type double patenting as being unpatentable over claims of copending allowed Application No. 10/455413 in view of Cottrell et al. and Furukawa et al. for the same reasons as set forth in paragraph 4 of the last office action. This is a provisional obviousness-type double patenting rejection.

5. Applicant's arguments filed 3-20-08 have been fully considered but they are not persuasive. Applicant's argument in regard to the 103 rejection and the double

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patenting rejections that it would not be obvious to add the metal complexes of Cottrell et al. and Furukawa et al. to the curable compositions of the Araki '414, Araki '259, or the claimed inventions of 7,169,516 and allowed application 10/455413 to improve light and heat fastness during processing (retained layer rate) is unconvincing since one skilled in the art would still be motivated to add the metal complexes of Cottrell et al. and Furukawa et al. to the curable compositions in order to improve light and/or heat fastness of color filter dyes after processing. The secondary advantage of improvement in fastness of the dyes during processing of light exposure, development and post baking (heating at 200 degrees C) shown in applicant's examples does not make the instant claims patentable or unobvious. Also, the improvement in light and/or heat fastness shown in applicant's examples for using the metal complexes as compared to using no agents to increase light or heat fastness would be expected by one skilled in the art from the teaching in Cottrell et al. and Furukawa et al. both after and during processing. While Cottrell et al. and Furukawa et al. teach adding metal complexes to color filter dyes to improve fastness of the dyes before or after processing, it would also be expected by one skilled in the art that they would improve light and/or heat fastness of dyes during the light and heat exposures involved in processing elements as in Araki '259, Araki '414 and the said claimed inventions in making color filters.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Richard L. Schilling at telephone number 571-272-1335.

/Richard L Schilling/

Primary Examiner, Art Unit 1795